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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/550,312	09/22/2005	Tomomasa Kojo	S1459.70085US00	5773

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EXAMINER	
LEE IV, THOMAS E	
ART UNIT	**PAPER NUMBER**
4142	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/550,312	KOJO ET AL.	
	Examiner	Art Unit	
	THOMAS LEE	4142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 November 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *22 September 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. The applicants amended claims 1-2 and 4-5 and added new claims 7-10 in the amendment received on 11/13/2008.

Claims 1-10 are pending.

Response to Arguments

2. Applicant's arguments filed in the amendment received on 11/13/2008 have been fully considered but they are not persuasive.

A. The applicants argue with respect to claims 1 and 4 that Aoki fails to disclose or suggest that a second check is performed if, as a result of a first check, no malfunction pertinent to a network connection is detected.

However, the examiner respectfully traverses. Aoki teaches when a connection is detected in a first check, or no malfunction pertinent to a network connection is detected, a second check is performed to determine if the connection does not have an error, or is normal (figure 21, items S17, S21-S22 and paragraph 0112-0113). Hence, Aoki teaches carrying out a second check, by the access controller, as to whether or not linkage to the network is normal if, as a result of a first check, no malfunction pertinent to the network connection is detect.

Therefore, the applicants' arguments are not persuasive.

Claim Objections

3. Claim 10 is objected to because of the following informalities:

- Claim 10, lines 2 and 3 state "electronic device" and should state "electronic apparatus".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-6 and 8-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Aoki et al. (U.S. Publication No. 2002/0047862 A1).

With respect to claim 1, Aoki teaches the management for connection to a network in which an electronic apparatus including an access controller for detecting the connection or the non-connection to a network cable (i.e., the signal processing section controls the operations of access to the network, paragraph 0086) and a micro-computer is used (i.e., the main body processing section includes a CPU, paragraph 0091), said method comprising carrying out, in executing an application, a first check as

to determine if a malfunction pertinent to the network connection exists, by detecting the a state of electrical connection of said network cable responsive to a detection output of said access controller (i.e., the signal processing section detects errors such as cable pulling in or out and relays this to the main processing section, paragraph 0088); carrying out a second check, by said access controller, as to whether or not the linkage to said network is normal if, as a result of said first check, no malfunction pertinent to the network connection is detected (i.e., the signal processing section detects error information with regards to network operations while making a distinction between an error of the receiving system on the network and an error within the device, where the second check is performed as a result of the first check, paragraphs 90 and 109-113); and carrying out accessing of said application to said network if, as a result of said second check, the linkage to said network is normal (i.e., the checks are performed and can be changed in logical order and upon completion of the network checks, if no error is detected, processing continues, paragraph 0187).

With respect to claim 2, Aoki teaches the management for connection to a network according to claim 1 wherein, if, as a result of said first check, the malfunction in said network connection is detected, an indication of the malfunction in said network is displayed, and wherein if, as a result of said second check, the malfunction in a linkage to said network is detected, an indication of the malfunction in said linkage to said network is displayed (i.e., the main body processing section determines the most appropriate error message to display in regards to the connection state and displays the message, paragraph 0092-0095).

With respect to claim 3, Aoki teaches the management for connection to a network according to claim 1 wherein the application carries out said first and second checks at a preset time interval (i.e., the checks are processed in an ordered fashion able to be controlled by the signal processing section at appropriately determined time intervals, figures 20-23 and paragraph 0174, or upon the instantiation of some event to the connection, such as a cable pulling out, paragraph 0088).

With respect to claim 4, Aoki teaches an electronic comprising a connector jack for connection to a network cable; an access controller for detecting the connection or non-connection of said network cable to said connector jack (i.e., the signal processing section controls the operations of access to the network, paragraph 0086); and a micro-computer; said micro-computer carrying out, in executing an application (i.e., the main body processing section includes a CPU, paragraph 0091), a first check as to determine if a malfunction pertinent to connection to the network exists, by detecting the state of an electrical connection of said network cable, responsive to a detection output of said access controller (i.e., the signal processing section detects errors such as cable pulling in or out and relays this to the main processing section, paragraph 0088); carrying out a second check, by said access controller, as to whether or not the linkage to said network is normal if, as a result of said first check, no malfunction pertinent to the network connection is detected (i.e., the signal processing section detects error information with regards to network operations while making a distinction between an error of the receiving system on the network and an error within the device, where the second check is performed as a result of the first check, paragraphs 90 and 109-113);

and carrying out accessing of said application to said network if, as a result of said second check, the linkage to said network is normal (i.e., the checks are performed and can be changed in logical order and upon completion of the network checks, if no error is detected, processing continues, paragraph 0187).

With respect to claim 5, Aoki teaches the management for connection to a network according to claim 1 wherein, if, as a result of said first check, the malfunction in said network connection, an indication of the malfunction in said network is displayed, and wherein if, as a result of said second check, the linkage to said network is not normal, an indication of the malfunction in said linkage to said network is displayed (i.e., the main body processing section determines the most appropriate error message to display, in regards to the connection state and displays the message, paragraph 0092-0095).

With respect to claim 6, Aoki teaches the management for connection to a network according to claim 1 wherein the application carries out said first and second checks at a preset time interval (i.e., the checks are processed in an ordered fashion able to be controlled by the signal processing section at appropriately determined time intervals, figures 20-23, or upon the instantiation of some event to the connection, such as a cable pulling out, paragraph 0088).

With respect to claim 8, Aoki teaches the method for management for connection to a network according to claim 1, wherein a correction of the malfunction pertinent to the network connection is controllable by a user of said electronic apparatus (i.e., the display shows the reason why there is no connection, such as an unplugged cable,

which is a low order error and controllable by a user, paragraphs 90 and 134 and figure 21, items S20 and S24).

With respect to claim 9, Aoki teaches the method for management for connection to a network according to claim 1,wherein a correction of the malfunction in a linkage to said network is not controllable by a user of said electronic apparatus (i.e., the display shows the reason why there is a connection error, such as connection error on another device, which is a high order error and not controllable by a user of the device, paragraphs 134-136 and figure 21, items 21-24).

With respect to claim 10, Aoki teaches the method for management for connection to a network according to claim 1, wherein the second check includes a time-out period during which said electronic device ceases to respond to a request from a user of said electronic device (i.e., the user requests to utilize a network with the device and the device does not respond with regards to the network request due checking a synchronizing signal during a fixed time, or a time-out, period, paragraphs 4, 5, and 90).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Aoki et al. (U.S. Publication No. 2002/0047862 A1) in view of Hori et al. (US Patent 6,845,406).

With respect to claim 7, Aoki teaches the method for management for connection to a network according to claim 1, wherein the first check comprises construing an error output of the access controller (i.e., the Mainbody Processing Section receives error outputs from the Signal Processing Section, paragraph 90). Aoki does not explicitly disclose a network interrupt output from the access controller. However, Hori teaches construing a network interrupt output from the access controller (i.e., the PCI bus of the modem, or access controller, outputs an interrupt for post connection, or network connection, to the CPU for processing, column 12, line 9-34), in order to maintain the status of having a network connection (Hori, column 3, lines 7-14). Therefore, based on Aoki in view of Hori, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Hori to the system of Aoki in order to maintain the status of having a network connection.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to THOMAS LEE whose telephone number is (571) 270-7292. The examiner can normally be reached on Monday to Friday, 7:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Hwang can be reached on (571) 272-4036. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thomas Lee/
Art Unit 4142
4 December 2008

/Joon H. Hwang/
Supervisory Patent Examiner, Art Unit 4142